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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of )

MULLET et al. )

Serial No.: 10/790,447 )

Filed: February 26, 2004 )

For: TENSIONING TOOL FOR )  
A COUNTERBALANCE )  
SYSTEM FOR )  
SECTIONAL DOORS )

Group Art Unit 3634

JOHNSON, Blair M., Examiner

**Certificate of Mailing**

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 21st day of September, 2006.

Michelle Garro, Sec'y to Andrew B. Morton

**TRANSMITTAL SHEET**

Enclosed are the following documents:

Amendment to Add Inventor (*w/attached Certificate of Mailing*)

Statement of No Deceptive Intent (*w/attached Certificate of Mailing*)

Declaration and Power of Attorney

Assent of Assignee (*w/attached Certificate of Mailing*)

Form PTO/SB/17I (*in duplicate*)

Copy of Assignment (Bennett)

Copy of Previous cover sheet and Assignment recorded February 26, 2004 (Mullet and Green)

Form PTO-2038 (Processing fee)

Return Receipt Postcard

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987. If a withdrawal is required from Deposit Account No. 18-0987, the undersigned attorney respectfully requests that the Commissioner of Patents and Trademarks cite Attorney Docket Number WAY.P.US0097 for billing purposes.

Respectfully submitted,

Andrew B. Morton, Reg. No. 37,400

Renner, Kenner, Greive, Bobak,

Taylor & Weber

First National Tower, Fourth Floor

Akron, Ohio 44308-1456

Telephone: (330) 761-6670

(330) 376-1242

Attorney Docket No: WAY.P.US0097

BEST AVAILABLE COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of )

WILLIS J. MULLET and )  
KELLY RAY GREEN )

Serial No. 10/790,447 )

Filed: February 26, 2004 )

For: TENSIONING TOOL FOR )  
A COUNTERBALANCE )  
SYSTEM FOR SECTIONAL )  
DOORS )

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that a copy of this correspondence was deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 21st day of September, 2006.

Michelle L. Garro, Sec'y to Andrew B. Morton

Attorney Docket No. WAY.P.US0097

**AMENDMENT TO ADD INVENTOR NOT NAMED IN ORIGINAL NON-  
PROVISIONAL APPLICATION DECLARATION  
37 C.F.R. § 1.48(a)**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This amendment is to correct the incorrect original naming of inventors in the declaration filed on February 26, 2004 for application serial no. 10/790,447.

Please add the following previously unnamed person as inventor of this application:

Thomas B. Bennett III  
3069 Briarwood Drive  
Wooster, Ohio 44691  
Wayne County  
Citizen of the U.S.A.

Attached is a statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his part; a declaration by each of the actual inventors; written assent of the assignee; a copy of the assignment of inventors Mullet and Green to Wayne-Dalton Corp., and a copy of an assignment of inventor Bennett to Wayne-Dalton corp. (filed with the Assignment Branch) and a fee payment as required under 37 C.F.R. § 1.17(i), fee code 1808.

09/26/2006 HDEMESS1 00000002 10790447

01 FC:1464

130.00 0P

Respectfully submitted,

Andrew B. Morton, Reg. No. 37,400  
RENNER, KENNER, GREIVE, BOBAK, TAYLOR & WEBER

First National Tower, Fourth Floor  
Akron, OH 44308-1456  
Telephone: (330) 376-1242  
Facsimile: (330) 376-9646  
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of )  
)  
WILLIS J. MULLET and )  
KELLY RAY GREEN )  
THOMAS B. BENNETT III )  
Serial No. 10/790,447 )  
Filed: February 26, 2004 )  
For: TENSIONING TOOL FOR )  
A COUNTERBALANCE )  
SYSTEM FOR SECTIONAL )  
DOORS )

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that a copy of this correspondence was deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 21st day of ~~July~~ September, 2006 *WJG*

Michelle L. Garro  
Michelle L. Garro, Sec'y to Andrew B. Morton

Attorney Docket No. WAY.P.US0097

**STATEMENT OF NO DECEPTIVE INTENT  
BY ADDED INVENTOR  
37 C.F.R. § 1.48(a)(1)**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I was erroneously omitted from the declaration filed on February 26, 2004, for Application Serial No. 10/790,447, entitled "Tensioning Tool for A Counterbalance System for Sectional Doors." This error occurred without any deceptive intention on my part.

Respectfully submitted,

Thomas B. Bennett III  
Thomas B. Bennett III  
3069 Briarwood Dr.  
Wooster, Ohio 44691  
Wayne County  
citizen of the U.S.A.

Date: JUNE 14, 2006



**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**  
**ENGLISH LANGUAGE DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**TENSIONING TOOL FOR A COUNTERBALANCE SYSTEM  
FOR SECTIONAL DOORS**

the specification of which

\_\_\_ is attached hereto.

x was filed on February 26, 2004, as Application Serial No. 10/790,447 and was amended on N/A.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

_____ Number	_____ Country	_____ Date Filed	_____ Yes	_____ No
_____ Number	_____ Country	_____ Date Filed	_____ Yes	_____ No

### English Language Declaration

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Ser. No.	Filing Date	Status
Application Ser. No.	Filing Date	Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and agent to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: **Andrew B. Morton**, (Reg. No. 37,400), Edward G. Greive (Reg. No. 24,726), Ray L. Weber (Reg. No. 26,519), Phillip L. Kenner (Reg. No. 22,353), Shannon V. McCue (Reg. No. 42,859), Mark L. Weber (Reg. No. 46,069), Tama L. Drenski (Reg. No. 50,323), Laura J. Gentilcore (Reg. No. 54,116), and Timothy A. Hodgkiss (Reg. No. 54,173), all members of the Bar of the State of Ohio, and whose mailing address is Renner, Kenner, Greive, Bobak, Taylor & Weber, First National Tower, Fourth Floor, Akron, Ohio 44308-1456; telephone: 330/376-1242; facsimile: 330/376-9646; e-mail address: [rennerkenner@patlaw.com](mailto:rennerkenner@patlaw.com).

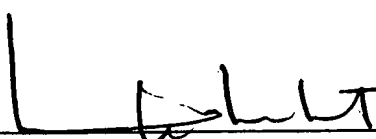
Send Correspondence to:

Andrew B. Morton  
RENNER, KENNER, GREIVE,  
BOBAK, TAYLOR & WEBER  
First National Tower, Fourth Floor  
Akron, Ohio 44308-1456  
Telephone: (330) 376-1242

Direct Telephone Calls to:

Andrew B. Morton  
Telephone: (330) 376-1242

## English Language Declaration

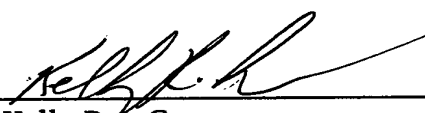
Inventor:  Date 8/22/06  
Willis J. Mullet

Residence: 515 Deer Point  
Gulf Breeze, Florida 32561  
United States of America

Post Office Address: 515 Deer Point  
Gulf Breeze, Florida 32561  
United States of America

Citizenship: United States of America

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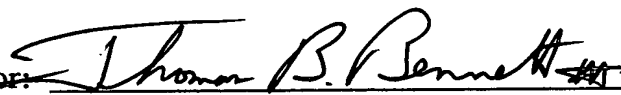
Inventor:  Date 8/22/06  
Kelly Ray Green

Residence: 2680 Brook Forest Way  
Jay, Florida 32565  
United States of America

Post Office Address: 2680 Brook Forest Way  
Jay, Florida 32565  
United States of America

Citizenship: United States of America

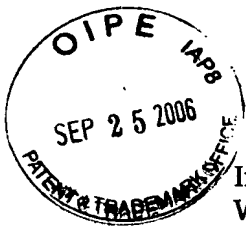
---

Inventor:  Date 8/22/06  
Thomas B. Bennett III

Residence: 3069 Briarwood Drive  
Wooster, Ohio 44691  
United States of America

Post Office Address: 3069 Briarwood Drive  
Wooster, Ohio 44691  
United States of America

Citizenship: United States of America



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of  
WILLIS J. MULLET and  
KELLY RAY GREEN

Serial No. 10/790,447

Filed: February 26, 2004

For: TENSIONING TOOL FOR  
A COUNTERBALANCE  
SYSTEM FOR SECTIONAL  
DOORS

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that a copy of this correspondence was deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this

21st day of July 2006. September, 2006 Mlg

Michelle L. Garro  
Michelle L. Garro, Sec'y to Andrew B. Morton

Attorney Docket No. WAY.P.US0097

**ASSENT OF ASSIGNEE TO ADDITION OF INVENTOR  
37 C.F.R. § 1.48(a)(4)**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Wayne-Dalton Corp., a corporation of the State of Ohio, having a place of business at One Door Drive, P.O. Box 67, Mt. Hope, Ohio 44660, United States of America, states that:

it is the assignee of the entire right, title, and interest in patent application serial no. 10/790,447, entitled "Tensioning Tool For Counterbalance System For Sectional Doors" and filed on February 26, 2004, by virtue of an assignment from the inventors of the patent application identified above, which was submitted for recordation in the United States Patent and Trademark Office on February 26, 2004, and the assignment by Thomas B. Bennett III submitted herewith. A copy of the Assignment and Assignment Cover Sheet recorded at Reel 015054 and Frame 0436 on February 26, 2004, is attached.

Assignee Wayne-Dalton Corp. hereby assents to the correction of inventorship filed herewith, which amends the inventorship to add previously unnamed inventor Thomas B. Bennett III.

The undersigned is authorized to act on behalf of the assignee.

WAYNE-DALTON CORP.

June 14, 2006

By:

Willis J. Mullet  
Willis J. Mullet, CEO





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PROCESSING FEE**  
**Under 37 CFR 1.17(i)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/790,447
Filing Date	February 26, 2004
First Named Inventor	MULLET, Willis J.
Art Unit	
Examiner Name	
Attorney Docket Number	WAY.P.US0097

Enclosed is a paper filed under 37 CFR 1.48 that requires a processing fee (37 CFR 1.17(i)).  
Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the processing fees)☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 18-0987:☐ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,**  
**Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

§ 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.

§ 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.

§ 1.48 - for correcting inventorship, except in provisional applications.

§ 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.

§ 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).

§ 1.55 - for entry of late priority papers.

§ 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods

§ 1.99(e) - for processing a belated submission under § 1.99.

§ 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).

§ 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).

§ 1.103(d) - for requesting deferred examination of an application.

§ 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.

§ 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**

§ 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.

§ 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.

§ 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Signature

Andrew B. Morton

Typed or printed name

Sept. 7, 2006

Date

37,400

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PROCESSING FEE**  
**Under 37 CFR 1.17(i)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/790,447
Filing Date	February 26, 2004
First Named Inventor	MULLET, Willis J.
Art Unit	
Examiner Name	
Attorney Docket Number	WAY.P.US0097

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**Payment of Fees** (small entity amounts are NOT available for the processing fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 18-0987:

☐ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

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☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,**  
**Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

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- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 - for entry of late priority papers.
- § 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods
- § 1.99(e) - for processing a belated submission under § 1.99.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Andrew B. Morton  
Signature

Andrew B. Morton

Typed or printed name

Sept. 7, 2006  
Date

37,400

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

WILLIS J. MULLET and KELLY RAY GREEN

Additional name(s) of conveying party(ies) attached? ☐ Yes  
☒ No

## 2. Name and address of receiving party(ies):

Name: WAYNE-DALTON CORP.

Internal Address:

Street Address: One Door Drive, P.O. Box 67

City: Mt. Hope State: Ohio ZIP: 44660

A corporation of the State of: Ohio (if applicable)

Additional name(s) & address(es) attached? ☐ Yes  
☒ No

## 3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: February 19, 2004

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: February 26, 2004

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☐ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Phillip L. Kenner, Esq.  
Renner, Kenner, Greive, Bobak, Taylor & Weber

Internal Address:

Street Address: First National Tower, Fourth Floor

City: Akron State: Ohio ZIP: 44308-1456

## 6. Total Number of applications and patents involved:

17. Total fee (37 CFR 3.41): .....\$ 40.00☒ Enclosed☒ Authorized to be charged to deposit account (Any Deficiencies Only)

## 8. Deposit Account Number:

18-0987

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Phillip L. Kenner

Name of Person Signing



Signature

February 26, 2004

Date

Total number of pages including cover sheet, attachments, and document: Four

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

# **ASSIGNMENT**

WHEREAS I, WILLIS J. MULLET, citizen of the United States of America, residing at Gulf Breeze, county of Santa Rosa, and state of Florida, and I, KELLY RAY GREEN, citizen of the United States of America, residing at Pace, county of Santa Rosa, and state of Florida, have invented certain new and useful improvements in

## **TENSIONING TOOL FOR A COUNTERBALANCE SYSTEM FOR SECTIONAL DOORS**

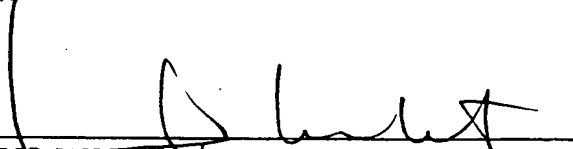
WHEREAS, WAYNE-DALTON CORP., a corporation duly organized and existing under and by virtue of the laws of the state of Ohio and having its principal office and place of business at One Door Drive, P.O. Box 67, Mt. Hope, Ohio 44660, is desirous of acquiring the entire right, title and interest in and to said invention, and in, to and under any application directed thereto and any Letters Patent of the United States or foreign countries which may be obtained therefor:

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

BE IT KNOWN that in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration by us received from WAYNE-DALTON CORP., aforesaid, the receipt of which is hereby acknowledged, we, the said WILLIS J. MULLET and KELLY RAY GREEN, have sold, assigned, transferred and set over unto WAYNE-DALTON CORP., aforesaid, its successors and assigns, the full and exclusive right to said invention in the United States and all foreign countries and in, to and under the application for Letters Patent of the United States therefor, executed by us on even date, and in, to and under any reissue, divisional, continuing or substitute application thereof or any corresponding application filed in a foreign country, and in, to and under any Letters Patent that may be issued for said invention in the United States or in any foreign country; and we do hereby covenant and agree for ourselves and our legal representatives to assist our said assignee in the prosecution of said application or applications and in any interference,

reexamination or litigation which may arise involving our said invention or the said patent or patents, and to execute any reissue application thereon, or any reexamination, divisional, continuing, substitute or foreign application based on or corresponding to the above specifically identified application, as may be requested by our said assignee, and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States upon the above specifically identified application for said invention to WAYNE-DALTON CORP., aforesaid, as assignee of our entire right, title and interest in and to the same for the sole use and benefit of WAYNE-DALTON CORP., February 12, 2004our assignee, its successors and assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 19 day of FEBRUARY, 2004.

  
WILLIS JAY MULLET

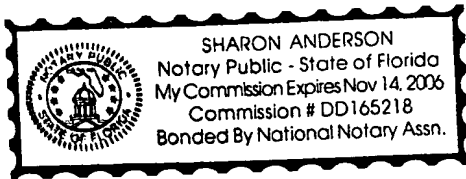
STATE OF FLORIDA

) SS

COUNTY OF ESCAMBIA

I, Sharon Anderson, a Notary Public in and for the County and State aforesaid, do hereby certify that WILLIS J. MULLET, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 19 day of FEBRUARY, 2004.



3

Sharon Anderson  
Notary Public

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 19  
day of FEBRUARY, 2004.

Kelly R. Green  
KELLY RAY GREEN

STATE OF FLORIDA

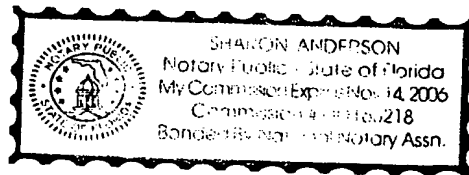
) SS

COUNTY OF ESCAMBIA

I, SHARON ANDERSON, a Notary Public in and for the County and State  
aforesaid, do hereby certify that KELLY RAY GREEN, personally known to me to be  
the same person whose name is subscribed to the foregoing instrument, appeared  
before me this day in person and acknowledged that he signed, sealed and delivered  
the said instrument as his free and voluntary act for the uses and purposes therein  
set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this  
19 day of FEBRUARY, 2004.

Sharon Anderson  
Notary Public



**ASSIGNMENT**

WHEREAS I, Thomas B. Bennett III, a citizen of the United States of America, residing at Wooster, county of Wayne, and State of Ohio, have invented certain new and useful improvements in

**TENSIONING TOOL FOR A COUNTERBALANCE SYSTEM FOR SECTIONAL DOORS**

the specification of which

— is attached hereto.

X was filed on February 26, 2004, 2004, as Application Serial No. 10/790,447.

WHEREAS, Wayne-Dalton Corp., a corporation duly organized and existing under and by virtue of the laws of the state of Ohio and having its principal office and place of business at One Door Drive, P.O. Box 67, Mt. Hope, OH 44660, is desirous of acquiring the entire right, title and interest in and to said invention, and in, to and under any application directed thereto and any Letters Patent of the United States or foreign countries which may be obtained therefor:

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

BE IT KNOWN that in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration by me received from Wayne-Dalton Corp., aforesaid, the receipt of which is hereby acknowledged, I, the said Thomas B. Bennett III, have sold, assigned, transferred and set over unto Wayne-Dalton Corp., aforesaid, its successors and assigns, the full and exclusive right to said invention in the United States and all foreign countries and in, to and under the application for Letters Patent of the United States therefor, executed by me on even date, and in, to and under any reissue, divisional, continuing or substitute application thereof or any corresponding application filed in a foreign country, and in, to and under any Letters Patent that may be issued for said invention in the United States or in any foreign country; and I do hereby covenant and agree for myself and my legal representatives to assist my said assignee in the prosecution of said application or

applications and in any interference, reexamination or litigation which may arise involving my said invention or the said patent or patents, and to execute any reissue application thereon, or any reexamination, divisional, continuing, substitute or foreign application based on or corresponding to the above specifically identified application, as may be requested by my said assignee, and I do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States upon the above specifically identified application for said invention to Wayne-Dalton Corp., aforesaid, as assignee of my entire right, title and interest in and to the same for the sole use and benefit of my assignee, its successors and assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14  
day of JUNE, 2006.

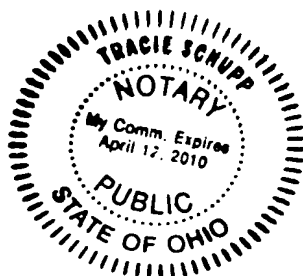
  
THOMAS B. BENNETT III

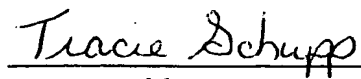
STATE OF OHIO

Holmes ) SS  
COUNTY OF ~~SUMMIT~~

I, Tracie Schupp, a Notary Public in and for the County and State aforesaid, do hereby certify that THOMAS B. BENNETT III, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this  
14<sup>th</sup> day of June, 2006.



  
Notary Public



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